

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

BETH ANN CROSLIN,

Plaintiff,

v.

3:06-1037

SHONEY'S, L.L.C., LONE STAR FUNDS,
SHONEY'S HOLDING COMPANY,
MIKE NIZNIK, Individually, RODGER HEAD,
Individually, DAVID DANIEL, and
JOHN YOUNG, Individually.

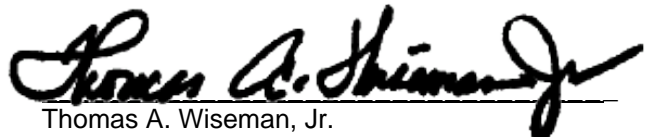
Defendants.

ORDER

No response having been made to the Defendants Shoney's, L.L.C., Shoney's Holding Company, Mike Niznik, Rodger Head, David Daniel, and John Young's Motion to Dismiss within the time allowed under the Rules; and it appearing that the motion is well taken, Defendants' Motion to Dismiss for Failure to Prosecute and Participate in Discovery Pursuant to FRCP 41(b), Document #25, is **GRANTED with prejudice**. Defendant Lone Star Funds having never been served with a summons or complaint in this case is **DISMISSED without prejudice**.

Judgment is entered in favor of all of the Defendants, and this is a final judgment for purposes of Fed. R.Civ. P. 58.

It is so ORDERED.


Thomas A. Wiseman, Jr.
Senior United States District Judge